UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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ART UNIT	PAPER NUMBER
2172	9

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/972,791	LAWTON, SCOTT S.
	Examiner	Art Unit
	Chongshan Chen	2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *07 May 2004*.

2a) ☒ This action is **FINAL**.　　2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *34-66* is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *34-66* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a) ☐ All　b) ☐ Some * c) ☐ None of:

　　　　1. ☐ Certified copies of the priority documents have been received.

　　　　2. ☐ Certified copies of the priority documents have been received in Application No. _____.

　　　　3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
　　　　　　application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
　　Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 34-66 are pending in this Office Action. Claims 1-33 are canceled.

Claim Objections

2.   Claims 34-66 are objected to because of the following informalities:

Claim 1 is objected to because of the following informalities: "each data element having

some **or** no contents" in line 4. The term "or" means any one of the limitation. It is unclear to

the examiner which limitation is part of the claimed invention and whether the data elements

have some contents or don't have content. Appropriate correction is required. Similar correction

is required for other claims having the term "or".

Claim Rejections - 35 USC § 112

3.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the
> subject matter which the applicant regards as his invention.

4.   Claims 34-66 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for

failing to particularly point out and distinctly claim the subject matter which applicant regards as

the invention.

5.   Claims 34, 62 and 66 recite the limitation "the target data object" in the first limitation of

each claim. There is insufficient antecedent basis for this limitation in the claim.

Claims 35-61 and 63-65 are depended on rejected independent claims.

Appropriate corrections are required for other lack of antecedent basis in the claims.

6.   Claims 44 and 47 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite

for failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention because "if any" renders the claim indefinite.

Appropriate corrections are required for other claims with similar terms. .

Claim Rejections - 35 USC § 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

8.   Claims 34-66 are rejected under 35 U.S.C. 103(a) as being unpatentable over WEST

("Town Hall Meeting: WEST 1.1a/BRS Demo" April 14-28, 1999, hereinafter "West-1" and

BRS and WEST Training for Senior Examiners, June 1999, hereinafter "West-2") in view of

Votipka (US 6,405,238).

As per claim 34, WEST teaches a system that provides direct access to every data object

while displaying any data object on a visual display unit via a client process, each data object

resulting from searching an information location mechanism, each data object having an

identifier, each data object having a plurality of data elements, each data element having some or

no contents, one of said data elements being a title, the system comprising:

receive a target identifier that indicates which data object is the target data object to be

displayed on the visual display unit (a user types a search string in WEST and submits the search

request. WEST returns a list of patents matching the search request, then WEST receives a

target identifier that indicates which patent the user wants to view, and displays the patent on the

right hand side of the window, West-1, page 8, West-2, page 55-63);

receive a list of data object identifiers, each data object identifier indicating one data

object resulting from searching the information location mechanism (West-1, page 8);

receive the target data object (West-1, page 8);

output the target data object and a navigation control to the client process (West-1, page

8); and

a controller (WEST) configured to: receive the target identifier, receive the list from the

list port, receive the target data object from the data port, send the data object and the navigation

control to the output port, thereby saving a user time by enabling the user to access any data

object that met their search criteria while viewing any target data object and without returning

each time to the list of data objects resulting from their search (West-1, page8, West-2, page 55-

63. WEST provides a direct access to the data object, the user selects which patent he/she wants

to view without returning each time to the list of data objects resulting from the search).

WEST teaches a direct access method. It creates a navigation control that allows the user

to enter which patent he/she wants to view, and then displays the patent on the right hand side of

the window (West-1, page 8). WEST does not explicitly disclose creating the navigation control

with one navigation element for each data object indicated by the list, with the exception of the

target data object, wherein the navigation control uses less display area than the display area

occupied by the aggregate of the titles of every data object in the list. Votipka teaches a drop

down link selection list (Votipka, col. 2, lines 33-52). It is obvious that the drop down link

selection list creates one navigation element for each data object with the exception of the target

data object because when a user select any links from the drop down selection list except the

already selected link, the corresponding page is loaded and displayed. If the user selects the

already selected link again, nothing will happen because the corresponding page is already

loaded and displayed. Therefore, it would have been obvious to one of ordinary skill in the art at

the time the invention was made to use a drop down selection list in the system of WEST. The

drop down selection list allows the user to select a link to the page directly. It is more

convenient for the user because the user does not need to type in a target identifier.

WEST does not explicitly disclose an instruction port; a list port; a data port; and an

output port. However, a port is an interface through which data is transferred between a

computer and other devices (such as a printer, mouse, keyboard, or monitor), a network, or a

direct connection to another computer (Microsoft Computer Dictionary). Furthermore, the

applicant discloses a computer includes all the ports (specification, page 12, lines 3-6), and the

WEST search system is embodied on a computer. It is obvious the WEST includes all the ports

so that the search system can search the database and pass data between them and return the

search result back to the user. Therefore, it would have been obvious to one of ordinary skill in

the art at the time the invention was made to include an instruction port, a list port, a data port

and an output port in the system of WEST so that the search system can search the database and

pass data between them and return the search result back to the user.

As per claim 35, WEST and Votipka teach all the claimed subject matters as discussed in

claim 34, and further teach at least one of the instruction port, list port, data port, and output port

is coupled to an HTTP Web server, or coupled to a computer-readable media, or configured to

communicate via a standard electronic messaging protocol (WEST is tangibly embodied in computer readable medium).

As per claim 36, WEST and Votipka teach all the claimed subject matters as discussed in claim 34, and further teach the data port is coupled to at least one of a document, a database, a database management system, a search engine supporting full-text search, a search engine supporting fielded search, a search engine supporting regular expressions or other patterns, and an iterative search engine (West-1, page 3).

As per claim 37, WEST and Votipka teach all the claimed subject matters as discussed in claim 34, and further teach each data object is comprised of a database record, a document, or some other grouping of associated data elements (West-1, page 3, Database: US Patents Full-Text Database).

As per claim 38, WEST and Votipka teach all the claimed subject matters as discussed in claim 34, and further teach each data element is comprised of a database field, tagged data including HTML, XML, or SGML, meta data, or a document (West-1, page 3-8).

As per claim 39, WEST and Votipka teach all the claimed subject matters as discussed in claim 34, except for explicitly disclosing the data object having at least one data unit of employment information. However, it is obvious the database can store employment information. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have employment information in the database so that the search engine can search employment information.

As per claim 40, WEST and Votipka teach all the claimed subject matters as discussed in claim 34, and further teach the controller is configured to create a navigation element for the target data object (Votipka, Fig. 2-4).

As per claim 41, WEST and Votipka teach all the claimed subject matters as discussed in claim 40, except for explicitly disclosing the navigation element for the target data object has a different appearance than the navigation elements for other data objects. However, it is well known in the art that the navigation element for the target data object in a drop down selection list is highlighted while others are not highlighted.

As per claim 42, WEST and Votipka teach all the claimed subject matters as discussed in claim 41, except for explicitly disclosing the appearance is made visually distinct by changing at least one of the geometry, layout, text font or typeface, text size, text style, text color and background color of part or all of the navigation element for the target data object. However, it is well known in the art that the navigation element for the target data object in a drop down selection list is highlighted while others are not highlighted.

As per claim 43, WEST and Votipka teach all the claimed subject matters as discussed in claim 40, and further teach the navigation element for the target data object is not a hypertext link (West-1, page 8).

As per claim 44, WEST and Votipka teach all the claimed subject matters as discussed in claim 34, and further teach the controller is configured to add an additional navigation element linked to the data object prior to the target data object, if any (West-1, page 8, West-2, page 55-63).

As per claim 45, WEST and Votipka teach all the claimed subject matters as discussed in claim 44, and further teach the additional navigation element is a left-facing or up-facing arrow, rendered textually or graphically (West-1, page 8, West-2, page 55-63).

As per claim 46, WEST and Votipka teach all the claimed subject matters as discussed in claim 44, except for explicitly disclosing the additional navigation element for the target data object comprises a text label "PREVIOUS" or similar abbreviation, word or phrase in English or other language. However, West teaches navigation element is left-facing arrow which causes the previous object from the list to be displayed (West-1, page 8, West-2, page 55-63). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the text label "PREVIOUS" instead of the left-facing arrow in the display of WEST in order to tell the user what is the usage of the button.

Claims 47-49 are rejected on grounds corresponding to the reasons given above for claims 44-46.

As per claim 50, WEST and Votipka teach all the claimed subject matters as discussed in claim 34, except for explicitly disclosing each navigation element is configured such that the client process will display additional information about the associated data object when a user moves a UD over the navigation element. However, it is well known in the art that when a user moves a mouse over a icon, additional information such as what is the usage of the icon or what information the icon is associated with will be displayed.

As per claim 51, WEST and Votipka teach all the claimed subject matters as discussed in claim 50, except for explicitly disclosing the additional information is the title of the target data object. However, it is well known in the art that when a user moves a mouse over a icon,

additional information such as what is the usage of the icon or what information the icon is associated with will be displayed. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to display the title of the target data object so that the user can know what data object the navigation element is associated with and then decide whether to display the data object.

As per claim 52, WEST and Votipka teach all the claimed subject matters as discussed in claim 34, and further teach each navigation element can be activated by a user with a single action using a UD (Votipka, selecting from a drop down selection list).

Claims 53-54 are rejected on grounds corresponding to the reasons given above for claim 52.

As per claim 55, WEST and Votipka teach all the claimed subject matters as discussed in claim 34, except for explicitly disclosing the navigation elements are arranged horizontally. However, arranging the navigation elements horizontally is well known in the art (for example, google search engine).

As per claim 56, WEST and Votipka teach all the claimed subject matters as discussed in claim 34, and further teach the navigation elements are arranged vertically (Votipka, drop down selection list).

As per claim 57, WEST and Votipka teach all the claimed subject matters as discussed in claim 34, and further teach the target identifier is a data element identifier (West-1, page 8, West-2, page 55-63, Votipka, Fig. 2-4).

As per claim 58, WEST and Votipka teach all the claimed subject matters as discussed in claim 34, and further teach the target identifier is an index into the list (West-1, page 8, West-2,

page 55-63, Votipka, Fig. 2-4. Applicant admits the search and index mechanism is well known

in the art, specification, page 15, 2nd paragraph).

As per claim 59, WEST and Votipka teach all the claimed subject matters as discussed in

claim 34, and further teach a list identifier port configured to receive a list identifier, and wherein

the list port is coupled to storage, and wherein the controller is configured to get the identified

list from storage via the list port (West-1, page 8, West-2, page 55-63, Votipka, Fig. 2-4).

As per claim 60, WEST and Votipka teach all the claimed subject matters as discussed in

claim 59, and further teach the list identifier port and the instruction port are the same port, and

wherein the controller is configured to extract the target identifier and the list identifier from the

instruction port (West-1, page 8, West-2, page 55-63, Votipka, Fig. 2-4).

As per claim 61, WEST and Votipka teach all the claimed subject matters as discussed in

claim 34, except for explicitly disclosing a data cache configured to store a copy of zero or more

data objects; a cache manager configured to: check if the target data object is already stored in

the data cache; if not, get a copy of the data object via the data port and store it in the data cache;

return a copy of the data object from the data cache to the controller; and wherein the controller

is configured to receive the data objects from the cache manager or from the data port or from

both the cache manager and the data port. However, WEST search system is embodied in a

computer which includes a data cache. It is well known in the art that cache manager check if

the target data object is already stored in the data cache; if not, get a copy of the data object via

the data port and store it in the data cache; return a copy of the data object from the data cache to

the controller.

As per claim 62, WEST teaches a search system comprising:

receive search criteria (West-1, page 3);

an information location mechanism configured to locate a plurality of data objects that match the received search criteria, each data object having an identifier, each data object having a plurality of data elements, each data element having some or no contents, one of said data elements being a title (West-1, page 3-8);

a formatting engine configured to format a result list comprising a subset of information from each matching data object (West-1, page 3-8);

a client process configured to display on a visual display unit (West-1, page 3-8);

an access mechanism that provides direct access to every data object while displaying any data object on the visual display unit via the client process, the access mechanism (West-1, page8, West-2, page 55-63) comprising:

receive a target identifier that indicates which data object is the target data object to be displayed on the visual display unit (West-1, page8, West-2, page 55-63);

receive a list of data object identifiers, each identifier indicating one data object resulting from searching the information location mechanism (West-1, page8, West-2, page 55-63);

receive the target data object (West-1, page8, West-2, page 55-63);

output the target data object and a navigation control to the client process (West-1, page8, West-2, page 55-63); and

a controller configured to:

transfer search criteria from the search port to the information location mechanism (West-1, page 3-8, West-2, page 55-63);

transfer the data object identifier for each data object returned by the information location

mechanism from the information location mechanism to the list port (West-1, page 3-8, West-2,

page 55-63);

receive the target identifier from the instruction port (West-1, page 3-8, West-2, page 55-

63);

receive the target data object from the data port (West-1, page 3-8, West-2, page 55-63);

send the data object and the navigation control to the output port (West-1, page 3-8,

West-2, page 55-63).

WEST teaches a direct access method. It creates a navigation control that allows the user

to enter which patent he/she wants to view, and then displays the patent on the right hand side of

the window (West-1, page 8). WEST does not explicitly disclose creating the navigation control

with one navigation element for each data object indicated by the list, with the exception of the

target data object, wherein the navigation control uses less display area than the display area

occupied by the aggregate of the titles of every data object in the list. Votipka teaches a drop

down link selection list (Votipka, col. 2, lines 33-52). It is obvious that the drop down link

selection list creates one navigation element for each data object with the exception of the target

data object because when a user select any links from the drop down selection list except the

already selected link, the corresponding page is loaded and displayed. If the user selects the

already selected link again, nothing will happen because the corresponding page is already

loaded and displayed. Therefore, it would have been obvious to one of ordinary skill in the art at

the time the invention was made to use a drop down selection list in the system of WEST. The

drop down selection list allows the user to select a link to the page directly. It is more

convenient for the user because the user does not need to type in a target identifier.

WEST does not explicitly disclose an instruction port; a list port; a data port; and an

output port. However, a port is an interface through which data is transferred between a

computer and other devices (such as a printer, mouse, keyboard, or monitor), a network, or a

direct connection to another computer (Microsoft Computer Dictionary). Furthermore, the

applicant discloses a computer includes all the ports (specification, page 12, lines 3-6), and the

WEST search system is embodied on a computer. It is obvious the WEST includes all the ports

so that the search system can search the database and pass data between them and return the

search result back to the user. Therefore, it would have been obvious to one of ordinary skill in

the art at the time the invention was made to include an instruction port, a list port, a data port

and an output port in the system of WEST so that the search system can search the database and

pass data between them and return the search result back to the user.

As per claim 63, WEST and Votipka teach all the claimed subject matters as discussed in

claim 62, and further teach the controller creates a formatted representation of the navigation

control employing a markup language including HTML, XML or SGML (West-1, page 3-8).

Claim 64 is rejected on grounds corresponding to the reasons given above for claim 39.

As per claim 65, WEST and Votipka teach all the claimed subject matters as discussed in

claim 62, except for explicitly disclosing a sort port configured to receive sort criteria; an

information sorting mechanism coupled between the information location mechanism and the

formatting engine; the information sorting mechanism being configured to receive the sort

criteria in a predetermined syntax, receive a plurality of data objects from the information

location mechanism, sort the data objects according to the sort criteria, and forward the sorted

data objects to the visual display unit. However, it is well known in the art that a search system

can sort the results into an ascending/descending list according to title, author, publish date, etc.

Claim 66 is rejected on grounds corresponding to the reasons given above for claim 34.

Response to Arguments

9.   Applicant's arguments with respect to claims 1-33 have been considered but are moot in

view of the new ground(s) of rejection.

Conclusion

10.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this
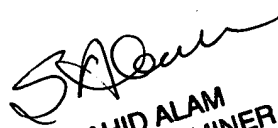
final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Chongshan Chen whose telephone number is 703-305-8319. The

examiner can normally be reached on Monday - Friday (8:00 am - 4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John E Breene can be reached on (703)305-9790. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

C.C.
July 22, 2004

SHAHID ALAM
PRIMARY EXAMINER